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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,662	12/29/2000	Kim L. Richardson	MARY/006/DHE	8893
7590	08/01/2005		EXAMINER	
Douglas H Elliott 3015 Duke Street Houston, TX 77005-3409			PASS, NATALIE	
			ART UNIT	PAPER NUMBER
			3626	
DATE MAILED: 08/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/751,662	RICHARDSON, KIM L.	
	Examiner	Art Unit	
	Natalie A. Pass	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the amendment filed 23 May 2005. Claims 1-29 have been amended. Claims 1-29 remain pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 7-17, 21-26, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Crisis, Grief and Healing" web pages, February 4, 1998, URL:

<<http://web.archive.org/web/19980204184657/www.webhealing.com/>>, hereinafter known as

Crisis, in view of "NFDA Online" web pages, February 4, 1998, URL:

<<http://web.archive.org/web/19980204094950/http://www.nfda.org/>>, hereinafter known as

NFDA, and "Angels Online Memorial Pages" web pages, February 6, 1998, URL:

<<http://web.archive.org/web/19980206233107/http://www.lastingmemories.com/>>, hereinafter

known as Angels for substantially the same reasons given in the previous Office Action (paper number 11182004), and further in view of Geser, Hans. "Yours Virtually Forever": Death memorials and Remembrance Sites in the WWW. January 1998, URL:

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<http://socio.ch/intcom/t_hgeser07.htm> hereinafter known as Geser. Further reasons appear hereinbelow.

(A) Claims 1 and 11 have been amended to recite

- "the memorial site being capable of being edited from a remote workstation using a family member password" in lines 4-5 and 2-3 respectively.

As per these new limitations, Crisis, NFDA, and Angels teach a method as analyzed and discussed in the previous Office Action (paper number 11182004).

Crisis, NFDA, and Angels fail to explicitly disclose the memorial site being capable of being edited from a remote workstation using a family member password.

However, the above features are well-known in the art, as evidenced by Geser.

In particular, Geser teaches a method comprising the memorial site being capable of being edited from a remote workstation using a family member password (Geser; page 4, paragraph 5, paragraph bridging pages 5-6, page 6, paragraph 2); although Geser does not explicitly recite a password, password protection for creating and editing web pages is well known in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide authenticated and restricted access utilizing password protection for the creating and editing of a personalized memorial web page.

Additionally, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the collective method of Crisis, NFDA, and Angels to include the memorial site being capable of being edited from a remote workstation using a family member password, as taught by Geser, with the motivations of allowing family mourners to utilize the

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WWW to express emotional processes which have always existed on the psychological level, but which have found no means of expression in the conventional institutions and media, providing an outlet for expression that may well have therapeutic significance (like committing oneself to a psychotherapeutic process), shortening the time needed for overcoming subjective states of depression, and enabling web memorials that may even encourage the revival of old grief related to friends or relatives who passed away many years ago, while providing families the ability to create Web Memorials that are "designed to "democratize" the chances of getting public attention at a low financial and organizational overhead and at a time that webpage editing programs are becoming more user-friendly (Geser, page 9, paragraphs 11-13, page 16, paragraphs 2-3).

The remainder of claim 1 is rejected for the same reasons given in the prior Office Action (paper number 11182004, section 3, pages 2-4), and incorporated herein.

The motivations for combining the respective teachings of Crisis, NFDA, and Angels are as given in the rejection of claim 1 in the previous Office Action (paper number 11182004), and incorporated herein.

(B) Claim 10 has been amended to recite

- "wherein the memorial site being capable of being edited from a remote workstation using a family member password" in lines 6-7.

As per these new limitations to claim 10, Crisis, NFDA, Angels and Geser teach a method as analyzed and discussed in the previous Office Action (paper number 11182004)

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wherein the memorial site being capable of being edited from a remote workstation using a family member password (Geser; page 4, paragraph 5, paragraph bridging pages 5-6, page 6, paragraph 2); although Geser does not explicitly recite a password, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide authenticated and restricted access utilizing password protection to control the creating and editing a personalized memorial web page.

The remainder of claim 10 is rejected for the same reasons given in the prior Office Action (paper number 11182004, section 3, pages 5-6), and incorporated herein.

The motivations for combining the respective teachings of Crisis, NFDA, Angels and Geser are as given in the rejections of claim 1 in this Office Action above, and in the previous Office Action (paper number 11182004), and incorporated herein.

(C) Claim 12 has been amended to recite

- "wherein the first and second memorial sites are capable of being edited from one or more remote workstations using a first family member password associated with the first memorial site and a using a second family member password associated with the second memorial site" in lines 4-5.

As per these new limitations to claim 12, Crisis, NFDA, Angels and Geser teach a method as analyzed and discussed in the previous Office Action (paper number 11182004) wherein the first and second memorial sites are capable of being edited from one or more remote workstations using a first family member password associated with the first memorial site and a

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using a second family member password associated with the second memorial site (Geser; page 4, paragraph 5, paragraph bridging pages 5-6, page 6, paragraph 2); although Geser does not explicitly recite passwords, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide authenticated and restricted access utilizing password protection to control the creating and editing personalized memorial web pages.

The remainder of claim 12 is rejected for the same reasons given in the prior Office Action (paper number 11182004, section 3, pages 6-7), and incorporated herein.

The motivations for combining the respective teachings of Crisis, NFDA, Angels and Geser are as given in the rejections of claim 1 in this Office Action above, and in the previous Office Action (paper number 11182004), and incorporated herein.

(D) Claims 2-4, 7-9, 13-17, 21-26, 29 have not been amended and are rejected for the same reasons given in the previous Office Action (paper number 11182004, section 3, pages 4-5,7-9), and incorporated herein.

4. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Crisis, Grief and Healing" web pages, February 4, 1998, URL:

<<http://web.archive.org/web/19980204184657/www.webhealing.com/>>, hereinafter known as Crisis, "NFDA Online" web pages, February 4, 1998, URL:

<<http://web.archive.org/web/19980204094950/http://www.nfda.org/>>, herinafter known as NFDA, "Angels Online Memorial Pages" web pages, February 6, 1998, URL:

<<http://web.archive.org/web/19980206233107/http://www.lastingmemories.com/>>, hereinafter

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known as Angels and Geser, Hans. "Yours Virtually Forever": Death memorials and

Remembrance Sites in the WWW. January 1998, URL:

<http://socio.ch/intcom/t_hgeser07.htm>, hereinafter known as Geser, as applied to claim 1

above, and further in view of "Virtual memorials: online outlets for real-life mourning," March

26, 1998, URL: <[http://web.archive.org/web/20000831080747/www.virtual-](http://web.archive.org/web/20000831080747/www.virtual-memorials.com/articles/cnn2.html)

memorials.com/articles/cnn2.html>, hereinafter known as Virtual, for substantially the same

reasons given in the previous Office Action (paper number 11182004). Further reasons appear

hereinbelow.

(A) Claims 5-6 have not been amended and are rejected for the same reasons given in the previous Office Action (paper number 11182004, section 4, pages 9-11), and incorporated herein.

5. Claims 18-20, 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over

"Crisis, Grief and Healing" web pages, February 4, 1998, URL:

<<http://web.archive.org/web/19980204184657/www.webhealing.com/>>, hereinafter known as

Crisis, in view of "NFDA Online" web pages, February 4, 1998, URL:

<<http://web.archive.org/web/19980204094950/http://www.nfda.org/>>, herinafter known as

NFDA, and "Angels Online Memorial Pages" web pages, February 6, 1998, URL:

<<http://web.archive.org/web/19980206233107/http://www.lastingmemories.com/>>, hereinafter

known as Angels and Geser, Hans. "Yours Virtually Forever": Death memorials and

Remembrance Sites in the WWW. January 1998, URL:

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<http://socio.ch/intcom/t_hgeser07.htm>, hereinafter known as Geser, as applied to claim 10 above, and further in view of Official Notice for substantially the same reasons given in the previous Office Action (paper number 11182004). Further reasons appear hereinbelow.

(A) Claims 18-20, 27-28 have not been amended and are rejected for the same reasons given in the previous Office Action (paper number 11182004, section 5, pages 11-13), and incorporated herein.

Response to Arguments

6. Applicant's arguments filed 23 May 2005 have been fully considered but they are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The cited but not applied reference, "Making Custom Pages for the Virtual Wall," URL: <<http://web.archive.org/web/19991010020405/http://www.virtualwall.org/build/custom.htm>> teaches the environment of creating and editing memorial web pages [Retrieved on July 20, 2005]. Retrieved from Internet.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. **Any response to this final action should be mailed to:**

Box AF

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to: (571) 273-8300.

For formal communications, please mark

"EXPEDITED PROCEDURE".

For informal or draft communications, please

label "PROPOSED" or "DRAFT" on the front page of

the communication and do NOT sign the

communication.

After Final communications should be labeled "Box AF."

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natalie A. Pass whose telephone number is (571) 272-6774. The examiner can normally be reached on Monday through Thursday from 9:00 AM to 6:30 PM. The examiner can also be reached on alternate Fridays.

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11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached at (571) 272-6776. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (571) 272-3600. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NP

Natalie A. Pass

July 20, 2005


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600